

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appellant: HAN et al.  
Application Serial No.: 10/690,928  
Filing Date: October 22, 2003  
For: DIFFERENTIAL SIGNAL TRACES  
COUPLED WITH HIGH  
PERMITTIVITY MATERIAL

) Confirmation No.: 6901  
)  
) Group Art Unit: 2814  
)  
) Examiner: Thao X. Le  
)  
) **REPLY BRIEF**  
)  
) Attorney Docket No.: P16829  
)  
) **PTO Customer Number 28062**  
) Buckley, Maschoff & Talwalkar LLC  
) Attorneys for Intel Corporation  
) 50 Locust Avenue  
) New Canaan, CT 06840  
)

---

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Appellants submit this Brief in reply to the Examiner's Answer mailed on April 5, 2007.

In general, the Examiner's contentions in his Answer have failed to come to grips with appellants' main point, which is that the teachings of the secondary references--Behling and Brandt--have no bearing on the structure disclosed in the primary reference, Asai, and would not motivate a person of ordinary skill in the art to modify the Asai's structure to arrive at the invention recited in claim 6. Appellants will therefore limit their discussion herein to addressing the implications for this appeal of the Supreme Court decision in *KSR International Co. v. Teleflex Inc.*

The Supreme Court held in *KSR* that the "teaching, suggestion, motivation" approach was one that was useful for determining whether a claimed invention is obvious, but was not to be applied rigidly or to the exclusion of other considerations. A conclusion of obviousness may also be reached in cases where the claimed invention results from a predictable variation of known techniques, or from an obvious solution to a known problem. The interrelated teachings of multiple patents, effects of demands known to the marketplace and background knowledge of those of ordinary skill in the art may all be considered to determine whether there was an apparent reason to combine known elements to arrive at the claimed invention.

The prior art patents relied upon by the Examiner fail to support a conclusion of obviousness according to the analytical framework presented by the *KSR* decision. The claimed use of a relatively high dielectric constant filler between a pair of signal traces is not a predictable variation or obvious response to a known problem, given the state of the prior art. The teachings of Behling in regard to overvoltage protection or of Brandt in regard to maximizing capacitance in a capacitor have no application to the pair of signal traces included in the structure disclosed in Asai. The Examiner failed to establish any reason to combine known elements to arrive at the invention recited in claim 6. The analysis called for by *KSR* does not change the result that claim 6 is unobvious in light of the prior art cited by the Examiner.

Respectfully submitted,

June 1, 2007  
Date

/NL/  
Nathaniel Levin  
Registration No. 34,860  
Buckley, Maschoff & Talwalkar LLC  
Attorneys for Intel Corporation  
50 Locust Avenue  
New Canaan, CT 06840  
(203) 972-3460